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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Judith F.M. Masthoff

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BRIARCLIFF MANOR, NY 10510

EXAMINER

ROSWELL, MICHAEL

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/023,085	Applicant(s) MASTHOFF, JUDITH F.M.	
	Examiner MICHAEL ROSWELL	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7,9-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7,9-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to the amendment to the claims filed 5 January 2009.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, 5, 6, 8-10, 13, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy et al (US Patent 5,966,135), hereinafter Roy, and Kunimatsu et al (US Patent 6,232,961), hereinafter Kunimatsu.

1. Regarding claim 1, Roy teaches displaying a subject image (taught as the display of a map within a browser, at col. 11, lines 31-45), displaying an enlargement of the subject image in response to a user selection of a desired point, the desired point and a point determined from an area associated with the user selection on which the enlargement is based, wherein the determined point is associated with a center of the area (taught as the ability of the user to zoom in around a selected point on the map, at col. 13, lines 25-29).
2. However, Roy fails to explicitly teach such on a touch sensitive display, selecting the desired point by a discrete touch-input on the touch sensitive display proximate to the desired point, and storing coordinates representing the determined point as a first coordinate parameter in response to a confirmation by the user that the determined point sufficiently corresponds to the desired point.
3. Kunimatsu teaches a map display system similar to that of Roy. Furthermore, Kunimatsu teaches the map display system on a touch sensitive display, selecting the desired point by a discrete touch-input on the touch sensitive display proximate to the desired point, and

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storing coordinates representing the determined point as a first coordinate parameter in response to a confirmation by the user that the determined point sufficiently corresponds to the desired point (taught as the confirmation of a user selected point, at col. 5, lines 49-67, and the storing of a selected point as a “memory point”, at col. 6, lines 49-59).

4. Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Roy and Kunimatsu before him at the time the invention was made to modify the map system of Roy to include the touch sensitive display, point confirmation, and point storage of Kunimatsu. One would have been motivated to make such a combination for the advantage of providing a user interface that minimizes erroneous operation by a user. See Kunimatsu, col. 2, lines 6-13.

5. Regarding claim 3, Roy teaches displaying a further enlargement of a previous enlargement of the subject image in response to a next user selection, wherein the further enlargement is based on a point determined as a center of a area associated with the next user selection, taught as the ability to zoom through differing zoom levels around a selected point, at col. 13, lines 25-29 and 41-44, and the ability of the user to zoom in around a selected point on the map, at col. 13, lines 25-29. As Kunimatsu teaches the use of a touch sensitive display, the examiner contends the further enlargement and zooming as done by Roy would be obvious to similarly implement on the touch sensitive display of Kunimatsu.

6. Regarding claim 6, Kunimatsu teaches determining a second point, in response to a user selection, and storing coordinates representing the second point as a second coordinate parameter, taught as the “memory point” system of col. 6, lines 49-59.

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7. Regarding claims 9-10, Roy teaches a computer-readable storage medium having data representing instructions, and an apparatus having a display, a processor, and a user input device, all for displaying a subject, displaying an enlargement of the subject image in response to a user selecting a point on the subject image and displaying on that enlargement that point selected by the user, and returning a point previously selected by the user as displayed on an enlargement of the subject image as a first co-ordinate parameter, at col. 3, lines 62-67 through col. 4, lines 1-56.

8. Regarding claim 13, Roy teaches displaying a subject image (taught as the display of a map within a browser, at col. 11, lines 31-45), displaying an enlargement of the subject image in response to a user selecting an area about a desired point on the subject image and displaying the desired point on the enlarged image, determining and displaying on that enlargement a point upon which the enlargement is based, the point being determined as a center of the area (taught as the ability of the user to zoom in around a selected point on the map, at col. 13, lines 25-29).

9. However, Roy fails to explicitly teach such on a touch sensitive display, selecting the desired point by a discrete touch-input on the touch sensitive display proximate to the desired point, and storing coordinates representing the determined point as a first coordinate parameter in response to a confirmation by the user that the determined point sufficiently corresponds to the desired point.

10. Kunimatsu teaches a map display system similar to that of Roy. Furthermore, Kunimatsu teaches the map display system on a touch sensitive display, selecting the desired point by a discrete touch-input on the touch sensitive display proximate to the desired point, and storing coordinates representing the determined point as a first coordinate parameter in

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response to a confirmation by the user that the determined point sufficiently corresponds to he desired point (taught as the confirmation of a user selected point, at col. 5, lines 49-67, and the storing of a selected point as a “memory point”, at col. 6, lines 49-59.

11. Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Roy and Kunimatsu before him at the time the invention was made to modify the map system of Roy to include the touch sensitive display, point confirmation, and point storage of Kunimatsu. One would have been motivated to make such a combination for the advantage of providing a user interface that minimizes erroneous operation by a user. See Kunimatsu, col. 2, lines 6-13.

12. Regarding claim 15, Roy teaches displaying a further enlargement of a previous enlargement of the subject image in response to a next user selection on the enlargement, taught as the ability to zoom through differing zoom levels, at col. 13, lines 25-29 and 41-44. As Kunimatsu teaches the use of a touch sensitive display, the examiner contends the further enlargement and zooming as done by Roy would be obvious to similarly implement on the touch sensitive display of Kunimatsu.

13. Regarding claim 17, Kunimatsu teaches determining a second point, in response to a user selection, and storing coordinates representing the second point as a second coordinate parameter, taught as the “memory point” system of col. 6, lines 49-59.

Claims 2, 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy, Kunimatsu and Smith (UK Application GB 2,344,037, as cited in the previous Office Action).

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14. Regarding claims 2 and 14, Roy and Kunimatsu teach a method similar to that of claims 1 and 13.

However, Roy and Kunimatsu fail to explicitly teach returning a point previously selected by the user (identifying the point) as displayed on an enlargement of the subject image as a first co-ordinate and displaying a reduction of a previous enlargement of the subject image in response to a single user input.

Smith teaches a graphical application that displays subject images and enlarges the subject image in response to user action, similar to the method of Roy. Furthermore, Smith teaches returning a point previously selected by the user (identifying the point) as displayed on an enlargement of the subject image as a first co-ordinate and displaying a reduction of a previous enlargement of the subject image in response to a single user input, taught as the return to an original scale in response to the selection of a first point in a line, at page 5, lines 31-37.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Roy, Kunimatsu and Smith before him at the time the invention was made to modify the returning of a point previously selected by the user (identifying the point) as displayed on an enlargement of the subject image as a first co-ordinate and displaying a reduction of a previous enlargement of the subject image with the single input trigger of Smith, in order to obtain a graphical application that returns point co-ordinates and the display to the original scale in response to a single user input.

One would be motivated to make such a combination for the advantage of more precise selection of a point provided by an enlarged view. See Smith, page 5, lines 39-43.

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15. Regarding claim 5, Roy teaches displaying a reduction of a previous enlargement of the subject image in the same scale as the subject image prior to enlargement, taught as the return to a previous zoom level, at col. 13, lines 41-44.

Claims 7, 11, 12, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy, Kunimatsu and Boyce et al (US Patent 6,459,986), hereinafter Boyce.

16. Regarding claims 7 and 18, Roy and Kunimatsu teach a method similar to that of claims 6 and 17.

However, while Roy and Kunimatsu disclose viewing the distance between any two points on a map picture (see Roy, col. 12, lines 10-13), Roy and Kunimatsu fail to explicitly teach performing a calculation to determine the distance between the first and second co-ordinate parameters.

Boyce teaches a routing system for use with maps, as those disclosed in Roy. Furthermore, Boyce teaches a method for performing a calculation to determine the distance between the first and second co-ordinate parameters, at col. 4, lines 18-22.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Roy, Kunimatsu and Boyce before him at the time the invention was made to modify the scalable map display with point-selection means of Roy and Kunimatsu with the first and second co-ordinate distance calculating of Boyce in order to obtain a scalable map display wherein the distance between selectable points may be calculated.

One would be motivated to make such a combination for the obvious advantage of displaying pertinent information to a user, or assisting the routing system of Boyce in finding the most suitable route between selected points. See Boyce, col. 4, lines 18-22.

17. Regarding claims 11, 12, 19, and 20, Boyce teaches determining distances between first and second co-ordinate parameters that are not straight line distances but instead are actual distances that can be traversed to connect the first and second co-ordinate parameters, the actual distance including at least one permissible travel route between the points, taught as the generation of a route over travelable roads between a user-selected starting point and destination point, at col. 3, lines 14-20, 28-31, and col. 4, lines 14-22.

Response to Arguments

Applicant's arguments filed 5 January 2009 have been fully considered but they are not persuasive.

On page 11 of the remarks, Applicant states that "Kunimatsu et al. neither discloses or suggests 'displaying an enlargement of the subject image in response to a user selecting the desired point by a discrete touch-input on the touch sensitive display proximate to said desired point, and indicating on the enlargement a point determined from an area associated with said user touch-input on which said enlargement is based, wherein said determined point is associated with a center of said area'." The examiner respectfully disagrees, and notes that the Kunimatsu reference is relied upon to specifically teach limitations concerning touch-sensitive inputs and the storage of the selected point. The Roy reference is relied upon to teach the displayed enlargement and centering of such an enlargement around a selected point. Therefore, it is a combination of Roy and Kunimatsu, not Kunimatsu alone, which teaches the argued limitations on page 11 of the remarks. As such, the examiner maintains the rejection of the claims as set forth above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL ROSWELL whose telephone number is (571)272-4055. The examiner can normally be reached on 9:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571) 272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tadesse Hailu/
Primary Examiner, Art Unit 2173

Michael Roswell
3/4/2009